

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PRISCILLA PESQUEIRA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:20-cv-00911-BAM

ORDER TO SHOW CAUSE WHY THE
ACTION SHOULD NOT BE DISMISSED

Plaintiff Priscilla Pesqueira (“Plaintiff”) filed this action on June 24, 2020, seeking review of the Commissioner of Social Security’s denial of her applications for disability benefits. (Doc. 1.) On September 4, 2020, the Court entered a scheduling order in this action. (Doc. 8.) Pursuant to the Court’s scheduling order, Plaintiff is required to prosecute this action by filing an opening brief within ninety-five (95) days following the Commissioner’s service and filing of the administrative record. Plaintiff was warned that failure to comply with the Court’s Scheduling Order may result in sanctions pursuant to Local Rule 110. (*Id.*)

On March 3, 2021, the Commissioner filed the administrative record.¹ (Doc. 15.) More than ninety-five (95) days have passed, and Plaintiff has not filed an opening brief.

¹ Upon filing of the administrative record, the stay in this action was automatically lifted pursuant to General Order 615. (*See* Doc. 16.)

1 Accordingly, Plaintiff is HEREBY ORDERED to SHOW CAUSE why this action should
2 not be dismissed for Plaintiff's failure to comply with the Court's scheduling order and
3 Plaintiff's failure to prosecute this action. Plaintiff shall file a written response to this order to
4 show cause no later than **January 25, 2022**. Plaintiff also may comply with this order by filing
5 an opening brief.

6 **Plaintiff is forewarned that failure to respond to this order to show cause will result**
7 **in the dismissal of this action for failure to obey a court order and failure to prosecute.**

8
9 IT IS SO ORDERED.

10 Dated: January 11, 2022

/s/ Barbara A. McAuliffe
11 UNITED STATES MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28